IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No. 21471 of 1999

Between:

The Park Hotel, Rep. by its Senior Assistance Manager,
Visakhapatnam.

..... PETITIONER

AND

1 The Commissioner of Police, Visakhapatnam.
2 The Station House Officer, III Town (L&O) Police Station,
Visakhapatnam.
3 Government of Andara Pradesh, rep. by its Seceretary,

Labour & Employment & Technical Education Department,
Seceretariat Buildings, Hyderabad.
4 The Deputy Labour Commissioner, Visakhapatnam
5 The Visaka Hotel & Restaurant Workers Union,

Park Hotel Unit, rep. by its Secretary G. Raghava Krishna.
Visakhaptnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1& 2 herein not to ensuring peace and curbing ante social activities carried by the lawless elements is illegal, arbitrary and consequently restrain the 5th respondent herein and there men not to Cause obstruction in Ingress and Egress of the Guests and other officers of the Hotel and not raise any Slogans within 500 Meters.

Counsel for the Petitioner : MR.V.HARI HARAN

Counsel for the Respondents : GP FOR HOME

The Court made the following :

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ORDER :

The management of the Park Hotel, Visakhapatnam, filed the present writ petition seeking a declaration that the action of respondents 1 and 2 herein in not ensuring peace and curbing the anti-social activities carried on by the workers is illegal and without jurisdiction. It is the case of the petitioner that the workmen of the Hotel, in gross violation of the Standing Orders, resorted to protest by wearing badges, which resulted in large number of guests vacating the Hotel in September, 1999.

This Court while admitting the writ petition on 15-10-1999 passed interim orders directing respondents 1 and 2 to provide necessary assistance to the petitioner in order to ensure that anti-social activities are not carried on in the premises of the Hotel. Be that as it is, the writ petition is filed when there was a dispute between the management and the workers in September, 1999 and as on today, the cause of action does not survive. If the petitioner has any grievance, it has adequate remedies under the Industrial Disputes Act, 1947 and the writ petition is not a proper remedy.

The writ petition is, therefore, dismissed. No costs.

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(V.V.S.RAO, J.)

09-06-2005.

Msr.

To

1 The Commissioner of Police, Visakhapatnam.
2 The Station House Officer, III Town (L&O) Police Station,
Visakhapatnam.
3 The Secretary to Government,

Labour & Employment & Technical Education Department,
Government of Andara Pradesh,Seceretariat Buildings, Hyderabad.
4 The Deputy Labour Commissioner, Visakhapatnam
5 Sri G.Raghava Krishna, Secretary,

Visaka Hotel & Restaurant Workers Union,

Park Hotel Unit, Visakhaptnam.

6 2 CCs to Government Pleader for Home,

High Court Buildings, Hyderabad.

7 2 CD copies.

HON'BLE SRI JUSTICE V.V.S. RAO

W.P.No.21471 of 1999

09-06-2005

(Msr)